

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

BABILA FELICITE MUYETBE

CIVIL ACTION NO. 21-0496

VS.

SECTION P

JUDGE TERRY A. DOUGHTY

ALEJANDRO MAYORKAS

MAG. JUDGE KAYLA D. MCCLUSKY

REPORT AND RECOMMENDATION

Petitioner Babila Felicite Muyetbe, a detainee at Jackson Parish Transitional Work Program in the custody of the Department of Homeland Security and the Bureau of Immigration and Customs Enforcement, petitioned the Court for a writ of habeas corpus under 28 U.S.C. § 2241.

On March 22, 2021, the undersigned ordered Petitioner to amend his petition and provide specific information. [doc. # 5]. The undersigned cautioned that the Court may dismiss Petitioner's petition if he failed to comply. *Id.* at 2. To date, Petitioner has not filed an amended petition.

A district court may dismiss an action based on a plaintiff's failure to prosecute or comply with a court order. FED. R. CIV. P. 41(b). A court possesses the inherent authority to dismiss the action *sua sponte* on this basis. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962). "The power to invoke this sanction is necessary to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the [d]istrict [c]ourts."

Id.

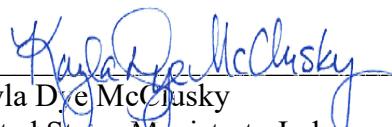
Here, Petitioner has failed to comply with the Court's March 22, 2021 Order by the deadline. Accordingly,

IT IS RECOMMENDED that Petitioner Babila Felicite Muyetbe's Petition be **DISMISSED WITHOUT PREJUDICE.**

Under the provisions of 28 U.S.C. § 636(b)(1)(C) and Rule 72(b), parties aggrieved by this recommendation have **fourteen (14) days** from service of this Report and Recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within **fourteen (14) days** after being served with a copy of any objections or response to the district judge at the time of filing.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed. R. Civ. P. 6(b), shall bar an aggrieved party from attacking either the factual findings or the legal conclusions accepted by the District Court, except upon grounds of plain error. See *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

In Chambers, Monroe, Louisiana, this 27th day of May, 2021.



Kayla Dye McClusky
United States Magistrate Judge